

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ASIAN-AMERICAN LICENSED
BEVERAGE ASSOCIATION, *et al.*,

Plaintiffs,

v.

CITY OF PHILADELPHIA, *et al.*,

Defendants.

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Civil Action
No. 24-6348-JLS

ORDER

AND NOW, this ____ day of January, 2025, upon consideration of Defendant City of Philadelphia's Unopposed Motion for Leave to File Memorandum of Law in Excess of Page Limit, it is hereby **ORDERED** that the Motion is **GRANTED** and the City may file a Memorandum of Law in opposition to Plaintiffs' Motion for Preliminary Injunction in excess of the applicable page limit, not to exceed the length of Plaintiffs' Memorandum of Law in Support of their Motion for Preliminary Injunction (ECF No. 3).

Jeffrey L. Schmehl, J.

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Civil Action
No. 24-6348-JLS

**DEFENDANT CITY OF PHILADELPHIA’S UNOPPOSED MOTION
FOR LEAVE TO FILE MEMORANDUM OF LAW IN EXCESS OF PAGE LIMIT**

Defendant City of Philadelphia asks this Court for permission to file a memorandum of law in excess of the applicable page limit and states the following in support thereof:

1. On November 26, 2024, Plaintiffs filed a forty-one-page Complaint, consisting of 286 paragraphs and seven counts.
2. All seven counts name the City as a defendant.
3. On the same day, Plaintiffs filed a Motion for Temporary Restraining Order, Preliminary Injunction, and Expedited Discovery.
4. In support of their Motion, Plaintiffs filed a Memorandum of Law of forty-nine pages.
5. Plaintiffs’ Motion and Memorandum of Law were filed before this case was assigned to the Honorable Jeffrey L. Schmehl.
6. This Court’s Individual Rules limit all briefs and memoranda of law to twenty-five pages absent leave of Court. *See* Policies & Procedures at 5, <https://www.paed.uscourts.gov/sites/paed/files/documents/procedures/scmpol.pdf>.

7. Defendant City of Philadelphia respectfully requests leave to file a memorandum of law in opposition to Plaintiffs' Motion in excess of twenty-five pages but not to exceed the length of Plaintiffs' Memorandum of Law in support of their Motion.

8. The City submits that it must exceed the page limit to adequately address Plaintiffs' arguments in support of their Motion for Preliminary Injunction, which include constitutional claims for vagueness, overbreadth, the right to petition, equal protection, and civil conspiracy.

9. Counsel for the City contacted counsel for Plaintiffs and counsel for Commonwealth Defendants, both of whom indicated that they do not oppose the City's requested relief.

Date: January 10, 2025

Respectfully submitted,

PHILADELPHIA LAW DEPARTMENT
RENEE GARCIA, CITY SOLICITOR

/s/ Ryan B. Smith
MELISSA MEDINA
Divisional Deputy City Solicitor
MICHAEL PFAUTZ
Deputy City Solicitor
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Counsel for Defendant City of Philadelphia

CERTIFICATE OF COUNSEL

Pursuant to Local Civil Rule 7.1(b), I, Ryan B. Smith, hereby certify that counsel for the City contacted counsel for Plaintiffs and counsel for Commonwealth Defendants, both of whom indicated that they do not oppose the relief requested by the City. Thus, the City's Motion for Leave to File Excess Pages is uncontested.

Date: January 10, 2025

/s/ Ryan B. Smith
Ryan B. Smith
Deputy City Solicitor

CERTIFICATE OF SERVICE

I, Ryan B. Smith, hereby certify that on January 10, 2025, I caused a true and correct copy of the foregoing Defendant City of Philadelphia's Motion for Leave to File Memorandum of Law in Excess of Page Limit to be served via CM/ECF filing upon counsel for all parties.

Date: January 10, 2025

/s/ Ryan B. Smith
Ryan B. Smith
Deputy City Solicitor